APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
MIRZADEGAN, SAEED S

ART UNIT	PAPER NUMBER
2144	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
	10/812,532	ZHU, WEIWEN
Office Action Summary	Examiner	Art Unit	
	SAEED S. MIRZADEGAN	2144	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>17 January 2008</u>.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-11 and 23-37</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-11 and 23-29</u> is/are rejected.

7)☒ Claim(s) _____ is/are objected to.

8)☒ Claim(s) <u>30-37</u> are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>14 January 2008</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

       1.☐ Certified copies of the priority documents have been received.

       2.☐ Certified copies of the priority documents have been received in Application No. _____.

       3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
           application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

U.S. Patent and Trademark Office

PTOL-326 (Rev. 08-06)   **Office Action Summary**   Part of Paper No./Mail Date 20080423

DETAILED ACTION

Response to Amendment

1.   This office action is in response to Applicant's amendment filed 1/17/2008.

Claims 1-11 and 23-37 are pending.

2.   Applicant's Amendments (see Amendments to Drawings and specifications filed

17 January 2008) have been fully considered and are accepted for the purpose of

correcting the typographical errors and to offer clarification. No new matter has been

introduced.

3.   Applicant's arguments with respect to claims 1-11 and 23-37 have been

considered but are moot in view of the following new ground(s) of rejection.

Election/Restrictions

4.   Newly submitted claims 30-37 are directed to an invention that is independent or

distinct from the invention originally claimed for the following reasons: Applicant claim

among other limitations, "a translation server; ... mapping by translation server ...

sending by translation server" as recited in the newly added claim 30, as well as "a

digital management swap server,... requesting ...from the digital management swap

server, ... receiving ...from digital management swap server". These functional

limitations are partially directed to mapping and translation of the secured content and

licenses, was not originally claimed invention.

Since applicant has received an action on the merits for the originally presented

invention, this invention has been constructively elected by original presentation for

prosecution on the merits. Accordingly, claims 30-37 are withdrawn from consideration

as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP §

821.03.

Claim Objections

5.   Claims 1, 9 and 23 are objected to because of the following informalities:

6.   Claims 1, 9 and 23 recite the phrase or limitation "operable" in numerous places.

The phrase or limitation "operable" should be replaces with "configured".

7.   Any claim not specifically addressed above, is being objected to as incorporating

the deficiencies of a claim upon which it depends.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459

(1966), that are applied for establishing a background for determining obviousness

under 35 U.S.C. 103(a) are summarized as follows:

1.   Determining the scope and contents of the prior art.
2.   Ascertaining the differences between the prior art and the claims at issue.
3.   Resolving the level of ordinary skill in the pertinent art.
4.   Considering objective evidence present in the application indicating
       obviousness or nonobviousness.

8.   Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over

applicant's own Admitted Prior Art (APA) in view of Grow et al. (Grow) US PG Pub. No.

2004/0019693, and further in view of Panasyuk et al. (Panasyuk) US PG Pub. No.

2003/0163569.

9.   Regarding Claim 1, APA discloses a system comprising: a client component

operable on the device to use a first content according to a first digital rights

management protocol (see e.g. Fig. 1, Client 12 utilizing ORDL protocol); a first content

server operable to receive a request for the first content and to provide a first rights

statement and the first content for use by the client component according to the first

protocol (see e.g. Fig. 1, Content Server 16 utilizing ORDL protocol to provide the rights

statement as well as the content); a second content server operable to receive a

request for a second content and to provide a second rights statement and the second

content according to a second digital rights management protocol (see e.g. Fig. 1,

Server 22 utilizing XrML protocol to provide content as well as rights statement).

However, APA does not explicitly teach: a device operable for presentation of content; a

mediation component in communication with the client component and the second

content server, the mediation component operable to receive requests in the first digital

rights management protocol from the client component for the second content, map the request foe the second content to the second digital rights management protocol, send the mapped requests to the second content server for use by the second content server, and receive the second rights statement and the second content from the second server in the second digital rights management protocol, map the second digital rights statement and the second content to the first digital rights management protocol , and send the mapped second rights statement and the mapped second content to the client for use by the client component according to the mapped second rights statement.

10.   In the same field of endeavor, Grow teaches (see e.g. Page 2, ¶0016, TIE; transformation and exchange infrastructure) mediation component.

11.   It would have been obvious to one of ordinary skill in the networking art at the time the applicant's invention was made to combine Grow's teachings as discussed above with the teachings of APA, for the purpose of providing a system, software, and method for data connectivity and integration that facilitates fast and accurate transformation and exchange of data among plurality of entities, sources or applications. (see Grow, ¶ 0010 lines 2-5). APA provides motivation to do so (see APA, page 2, ¶0007).

12.   In the same field of endeavor, Panasyuk teaches (see e.g. Page 1, ¶0018, lines 1-6) a device operable for presentation of content.

13.   It would have been obvious to one of ordinary skill in the networking art at the time the applicant's invention was made to combine Panasyuk's teachings as discussed above with the teachings of APA, for the purpose of authenticating a client to a content server for secure delivery of content (see Panasyuk, ¶ 0008). APA provides motivation to do so (see APA, page 2, ¶0007).

14.   Regarding Claim 2, APA, Grow and Panasyuk disclose the invention substantially as claimed. APA further discloses a first license server in communication with the mediation component and operable to receive a request for a first license and to provide the first license for the client component to use the first content (see e.g. Fig. 1, ORDL license server 14). However APA does not explicitly teach the mediation component and the first license server to receive a first usage report in accordance with the first digital rights management protocol.

15.   In the same field of endeavor, Grow teaches (see e.g. Page 2, ¶0016, TIE; transformation and exchange infrastructure) mediation component, (see e.g. Page 7, ¶0078, lines 14-16, reporting mechanism).

16.   It would have been obvious to one of ordinary skill in the networking art at the time the applicant's invention was made to combine Grow's teachings as discussed above with the teachings of APA, for the purpose of providing a system, software, and method for data connectivity and integration that facilitates fast and accurate

transformation and exchange of data among plurality of entities, sources or applications. (see Grow, ¶ 0010 lines 2-5). APA provides motivation to do so (see APA, page 2, ¶0007).

17.   Regarding Claim 3, APA, Grow and Panasyuk disclose the invention substantially as claimed. APA further discloses a second license server in communication with the mediation component and operable to receive a request for a second license and to provide the second license for the client component to use the second content, (see e.g. Fig. 1, XrML license server 20). However APA does not explicitly teach the mediation component and the second license server to receive a second usage report in accordance with the second digital rights management protocol.

18.   In the same field of endeavor, Grow teaches (see e.g. Page 2, ¶0016, TIE; transformation and exchange infrastructure) mediation component, (see e.g. Page 7, ¶0078, lines 14-16, reporting mechanism).

19.   It would have been obvious to one of ordinary skill in the networking art at the time the applicant's invention was made to combine Grow's teachings as discussed above with the teachings of APA, for the purpose of providing a system, software, and method for data connectivity and integration that facilitates fast and accurate transformation and exchange of data among plurality of entities, sources or applications.

(see Grow, ¶ 0010 lines 2-5). APA provides motivation to do so (see APA, page 2,
¶0007).

20.   Regarding Claim 4, APA, Grow and Panasyuk disclose the invention
substantially as claimed. However APA does not explicitly teach the mediation
component.

21.   In the same field of endeavor, Grow teaches (see e.g. Page 2, ¶0016, TIE;
transformation and exchange infrastructure) mediation component.

22.   It would have been obvious to one of ordinary skill in the networking art at the
time the applicant's invention was made to combine Grow's teachings as discussed
above with the teachings of APA, for the purpose of providing a system, software, and
method for data connectivity and integration that facilitates fast and accurate
transformation and exchange of data among plurality of entities, sources or applications.
(see Grow, ¶ 0010 lines 2-5). APA provides motivation to do so (see APA, page 2,
¶0007).

23.   Regarding Claim 5, APA, Grow and Panasyuk disclose the invention
substantially as claimed. APA further discloses the first digital rights management
protocol is the extensible right markup language (see e.g. Fig. 1, XrML Protocol) and

the second digital rights management protocol is the open digital rights language (see

e.g. Fig. 1, ORDL Protocol).

24.   Regarding Claim 6, APA, Grow and Panasyuk disclose the invention

substantially as claimed. However APA does not explicitly teach a wireless device.

25.   In the same field of endeavor, Panasyuk teaches (see e.g. Page 2, ¶0018, lines

1-6, Fig. 2, 202).

26.   It would have been obvious to one of ordinary skill in the networking art at the

time the applicant's invention was made to combine Panasyuk's teachings as discussed

above with the teachings of APA, Grow for the purpose of authenticating a client to a

content server for secure delivery of content (see Panasyuk, ¶0008). APA provides

motivation to do so (see APA, page 2, ¶0007).

27.   Regarding Claim 7, APA, Grow and Panasyuk disclose the invention

substantially as claimed. However APA does not explicitly teach at least a portion of

communication between the mediation component and the device is accomplished

wirelessly.

28.   In the same field of endeavor, Panasyuk teaches (see e.g. Page 3, ¶0034, lines

1-5, Fig. 2, 202) wireless communication.

29.   It would have been obvious to one of ordinary skill in the networking art at the time the applicant's invention was made to combine Panasyuk's teachings as discussed above with the teachings of APA, Grow for the purpose of authenticating a client to a content server for secure delivery of content (see Panasyuk, ¶ 0008). APA provides motivation to do so (see APA, page 2, ¶0007).

30.   Regarding Claim 8, APA, Grow and Panasyuk disclose the invention substantially as claimed. However APA does not explicitly teach the first content and the second content are further defined to be selected from the group comprising text, audio, video, music, audio/video, and encrypted contents.

31.   In the same field of endeavor, Grow teaches (see e.g. Page 2, ¶0016, TIE; transformation and exchange infrastructure, mediation component which transforms any source using any protocol & (see e.g. Page 9, ¶0098 & ¶0099).

32.   It would have been obvious to one of ordinary skill in the networking art at the time the applicant's invention was made to combine Grow's teachings as discussed above with the teachings of APA, for the purpose of providing a system, software, and method for data connectivity and integration that facilitates fast and accurate transformation and exchange of data among plurality of entities, sources or applications. (see Grow, ¶ 0010 lines 2-5). APA provides motivation to do so (see APA, page 2, ¶0007).

33.   Regarding Claim 9, all the limitations have been addressed above.

34.   Regarding Claim 10, all the limitations have been addressed above.

35.   Regarding Claim 11, all the limitations have been addressed above.

36.   Regarding Claim 27, all the limitations have been addressed above.

37.   Regarding Claim 28, all the limitations have been addressed above.

38.   Regarding Claim 29, all the limitations have been addressed above.

Claim Rejections - 35 USC § 103

39.   Claims 23-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over

APA in view of Grow in view of Panasyuk and further in view of Guck (Guck), US Pat.

No. 5848415.

40.   Regarding Claim 23 APA, Grow and Panasyuk disclose the invention

substantially as claimed. However, APA, Grow, Panasyuk do not explicitly teach: a

multi-protocol content server in communication with the first and second client

components and operable to receive a first request for content from the first client

component according to the first digital rights management protocol and to return the

content to the first client component according to the first digital rights management
protocol, the multi-protocol content server further operable to receive a second request
for the content from the second client component according to the second digital rights
management protocol and to return the content to the second client component
according to the second digital rights management protocol.

41.   In the same field of endeavor, Guck teaches (see e.g. Fig. 1, 50, col. 2, lines 28-
29 & lines 37-40, & col. 13, lines 11-17) Multi protocol content server in communication
with various clients classifier.

42.   It would have been obvious to one of ordinary skill in the networking art at the
time the applicant's invention was made to combine Guck's teachings as discussed
above with the teachings of APA, Grow, Panasyuk for the purpose of providing content
to users with differing protocols and format requests (see Guck, col. 4, lines 34-44).
APA provides motivation to do so (see APA, page 2, ¶0007).

43.   Regarding Claim 24, APA, Grow, Panasyuk and Guck disclose the invention
substantially as claimed. APA further discloses a first license server operable to receive
a request for a first license associated with the content in the first digital rights
management protocol and to return the first license in accordance with the first digital
rights management protocol (see e.g. Fig. 1, ORDL license server 14); and a second
license server operable to receive a request for a second license associated with the

content in the second digital rights management protocol and to return the second

license in accordance with the second digital rights management protocol (see e.g. Fig.

1, XrML license server 20).

44.   Regarding Claim 25, APA, Grow, Panasyuk and Guck disclose the invention

substantially as claimed. However APA does not explicitly disclose the first and the

second digital rights management protocols are selected from the group comprising

open data rights language, extensible right markup language, Sony digital rights

management, and Apple Computer digital rights management protocols.

45.   In the same field of endeavor, Grow teaches (see e.g. Page 2, ¶0016, TIE;

transformation and exchange infrastructure, mediation component which transforms any

source using any protocol & (see e.g. Page 9, ¶0098 & ¶0099).

46.   It would have been obvious to one of ordinary skill in the networking art at the

time the applicant's invention was made to combine Grow's teachings as discussed

above with the teachings of APA, Grow, Panasyuk for the purpose of providing a

system, software, and method for data connectivity and integration that facilitates fast

and accurate transformation and exchange of data among plurality of entities, sources

or applications. (see Grow, ¶ 0010 lines 2-5). APA provides motivation to do so (see

APA, page 2, ¶0007).

47.   Regarding Claim 26, APA, Grow, Panasyuk and Guck disclose the invention

substantially as claimed. However APA does not explicitly discloses the content is

selected from the group consisting of text, audio, video, music, audio/video, and

encrypted contents (see e.g. Page 2, ¶0024, lines 1-3) audio/video content.

48.   In the same field of endeavor, Grow teaches (see e.g. Page 2, ¶0016, TIE;

transformation and exchange infrastructure, mediation component which transforms any

source using any protocol & (see e.g. Page 9, ¶0098 & ¶0099).

49.   It would have been obvious to one of ordinary skill in the networking art at the

time the applicant's invention was made to combine Grow's teachings as discussed

above with the teachings of APA, for the purpose of providing a system, software, and

method for data connectivity and integration that facilitates fast and accurate

transformation and exchange of data among plurality of entities, sources or applications.

(see Grow, ¶ 0010 lines 2-5). APA provides motivation to do so (see APA, page 2,

¶0007).

Prior Art of Record

The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure. Please refer to form PTO-892 (Notice of Reference Cited) for a list of

relevant prior art.

Conclusion

50.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to SAEED S. MIRZADEGAN whose telephone number is

(571)270-3044. The examiner can normally be reached on M-F 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, William Vaughn can be reached on 571-272-3922. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

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Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. S. M./
Examiner, Art Unit 2144
/William C. Vaughn, Jr./

Supervisory Patent Examiner, Art Unit 2144